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09/729,395	12/04/2000	Erez Goren	NMIK-001	6439

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EXAMINER
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ALAM, UZMA

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 03/24/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/729,395

Applicant(s)

GOREN ET AL.

Examiner

Uzma Alam

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This action is responsive to the application filed on December 4, 2000. Claims 1-31 are pending. Claims 1-31 represent a method and system for establishing a private network community among a plurality of clients.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10, 16-28, 30 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Lynch US Patent No. 6,487,600. Lynch discloses the invention as claimed including a dynamically configured user network which services a plurality of clients (see abstract).

As per claim 1, Lynch discloses a method of establishing a private network community (PNC) among a plurality of clients configured to be linked over one or more of a plurality of communication channels, said method comprising:

A. linking to a virtual network generation (VNG) system, having access to said communication channels, and establishing a set of PNC attributes, including establishing a set of client attributes associated with said clients and a set of network attributes (linking to a network friend which is associated with the metanetwork, the network friend containing information

Art Unit: 2157

about clients and groups; column 3, lines 55-67; column 4, lines 2-4; column 6, lines 13-34; column 8, lines 27-29; column 9, lines 57-67; column 10, lines 1-17; column 27, lines 55-64; column 35, lines 6-40)

B. accessing a VNG system data store including PNC information related to said plurality of clients and a plurality of network types (the network friend contains information about the clients and the metanetwork; column 4, lines 14-28; column 6, lines 35-50; column 35, lines 6-20; ; column 9, lines 57-67; column 10, lines 1-17);

C. authenticating each of said clients, as a function of said PNC information (authenticating the clients; column 4, lines 29-40; column 7, lines 7-37; column 35, lines 6-20); and

D. establishing said PNC as a function of said set of PNC attributes, including designating a virtual PNC address for each of said clients and linking said clients as if they were connected via a LAN (directly connecting the clients after establishing a group; column 1, lines 52-67; column , lines 1-22; column 8, lines 30-39; column 10, lines 19-43; column 10, lines 54-67; column 11, lines 1-7; column 15, lines 6-59; column 16, lines 15-29; column 33, lines 13-52; column 35, lines 20-53; column 38, lines 53-67; column 39, lines 33-65; Figure 4; Figure 6; Figure 22).

As per claim 2, Lynch discloses the method according to claim 1 wherein said plurality of clients is operated by a corresponding plurality of users and said data store includes identification information related to said plurality of users (the clients are users using a PC and the network friend has information about the clients; column 6, line 51-67; column 7, lines 1-5; column 9,

Art Unit: 2157

lines 56-67; column 10, lines 1-5; column 11, lines 24-34; column 35, lines 20-40; column 39, lines 45-65).

As per claim 3, Lynch discloses the method according to claim 1 wherein at least one of said plurality of clients is chosen from a group of network enabled devices comprising: 1) a personal computer; 2) a personal digital assistant; 3) a mobile cellular telephone; 4) a network appliance; 5) a digitally loadable music or video player; 6) an on-line video game; and 7) a home appliance (the clients use a PC; column 4, lines 4-12; column 33, lines 13-29).

As per claim 4, Lynch discloses the method according to claim 1 wherein at least one of said plurality of communication channels is chosen from a group comprising: 1) Internet; 2) a cable network; 3) metropolitan area networks (MAN); 4) a power-line network; 5) a telephone line; 6) a satellite link; and 7) wireless networks (the communication is done through the internet and phone lines; Figure 11).

As per claim 5, Lynch discloses the method according to claim 1 wherein said client attributes include, for each client:

1) an identification attribute, identifying said client (user ID; column 9, lines 56-67; column 10, lines 1-5; column 14, lines 30-42; column 22, lines 64-67); and

2) a PNC address attribute, identifying a network location of said client (an IP address for the client; Figure 12).

Art Unit: 2157

As per claim 6, Lynch discloses the method according to claim 1 wherein said network attributes include: 1) a security management attribute, identifying a network security level to which said PNC must adhere (Figure 12; Figure 13; column 7, lines 39-60; column 10, lines 19-54; column 14, lines 48-59).

As per claim 7, Lynch discloses the method of claim 1 further comprising:  
E. selectively disestablishing said PNC in response to a termination event (ending the conference; column 21, lines 20-27; column 25, lines 61-67; column 26, lines 1-5; column 27, lines 40-54).

As per claim 8, Lynch discloses the method according to claim 7 wherein step E includes: 1) disassociating each of said designated addresses from said clients (column 26, lines 15-59).

As per claim 9, Lynch discloses the method according to claim 7 wherein said termination event includes one of more of the following:

1) issuing a termination command by at least one of said clients to said VNG system (client initiating end of session; column 26, lines 1-5; column 27, lines 55-64);

2) detecting completion of a predefined set of tasks (column 25, lines 61-67; column 26, lines 1-5; column 27, lines 10-54);

3) detecting a security violation (checking authentication; column 21, lines 20-27; column 25, lines 61-67; column 26, lines 1-5; column 27, lines 40-54); and

Art Unit: 2157

4) lapsing of a termination point in time (ending when time is expired; column 27, lines 31-54).

As per claim 10, Lynch discloses the method according to claim 1 further comprising:

E. modifying said PNC attributes (changing the metanetwork profile; column 24, lines 1-19; column 26, lines 37-59; column 27, lines 55-64); and

F. modifying said client links as a function of said modified PNC attributes (changing client links accordingly; column 24, lines 20-33; column 26, lines 37-59).

As per claim 16, Lynch discloses the method of claim 1, wherein said VNG system includes a billing manager, said method further comprising: E. monitoring usage of said PNC by said plurality of devices and generating, as a function of said usage, a corresponding usage bill (monitoring usage; column 14, lines 14-29; column 35, lines 64-67; column 37, lines 16-35; column 39, lines 9-22).

As per claim 17, Lynch discloses the method of claim 1 wherein step B includes: 1) accessing a VNG system Web site (network friend accessed by web site; column 14, lines 14-41).

As per claim 18, Lynch discloses a virtual network generation (VNG) system configured to establish and manage a plurality of PNCs among a plurality of clients and over a plurality of communication channels, said VNG system comprising:

A. a data store including PNC information related to said clients and a plurality of network types (network friend contains information about clients and groups; column 3, lines 55-67; column 4, lines 2-28; column 6, lines 13-50; column 8, lines 27-29; column 27, lines 55-64; column 35, lines 6-40);

B. a VNG processing device coupled to said data store, said VNG processing device including:

1) an authentication manager, configured to receive, store and selectively authenticate a PNC workgroup of clients from said plurality of clients, as a function of a client identification (the network friend contains information about the clients and the metanetwork and authenticating the clients; column 4, lines 14-40; column 6, lines 35-50; column 7, lines 7-37; column 35, lines 6-20);

2) a PNC manager, configured to receive and store a set of PNC attributes related to a PNC to be established, wherein said PNC attributes identify the PNC workgroup and a set of PNC security requirements (authenticating the clients; column 4, lines 29-40; column 7, lines 7-37; column 35, lines 6-20);;

3) a PNC routing manager, configured to generate a PNC address for each client (directly connecting the clients after establishing a group; column 8, lines 30-39; column 10, lines 19-43; column 10, lines 54-67; column 11, lines 1-7; column 15, lines 6-59; column 35, lines 20-53; column 39, lines 45-65); and



Art Unit: 2157

4) a communication manager, configured to link said clients, as if they were connected via a LAN, as a function of said PNC attributes (directly connecting the clients after establishing a group; column 8, lines 30-39; column 10, lines 19-43; column 10, lines 54-67; column 11, lines 1-7; column 15, lines 6-59; column 35, lines 20-53; column 39, lines 45-65); and

C. a network interface system coupling said VNG processing device to at least one of said plurality of communication channels (the clients are users using a PC and the network friend has information about the clients; column 6, line 51-67; column 7, lines 1-5; column 9, lines 56-67; column 10, lines 1-5; column 11, lines 24-34; column 35, lines 20-40; column 39, lines 45-65).

As per claim 19, Lynch discloses a VNG system according to claim 18, further comprising:

D. a PNC termination manager, configured to selectively terminate said PNC in response to a termination event (ending the conference; column 21, lines 20-27; column 25, lines 61-67; column 26, lines 1-5; column 27, lines 40-54).

As per claim 20, Lynch discloses a VNG system according to claim 19 wherein said termination manager is configured to disassociate each of said designated addresses from said clients (column 26, lines 15-59).

As per claim 21, Lynch discloses a VNG system according to claim 19 wherein said termination event includes at least one of the following:

Art Unit: 2157

1) issuing a termination command by at least one of said clients to said VNG system (client initiating end of session; column 26, lines 1-5; column 27, lines 55-64);

2) detecting completion of a predefined set of tasks (column 25, lines 61-67; column 26, lines 1-5; column 27, lines 10-54);

3) detecting a security violation (checking authentication; column 21, lines 20-27; column 25, lines 61-67; column 26, lines 1-5; column 27, lines 40-54); and

4) lapsing of a termination point in time (ending when time is expired; column 27, lines 31-54).

As per claim 22, Lynch discloses a VNG system according to claim 18 wherein said plurality of clients is operated by a corresponding plurality of users and said data store includes identification information related to said plurality of users (the clients are users using a PC and the network friend has information about the clients; column 6, line 51-67; column 7, lines 1-5; column 9, lines 56-67; column 10, lines 1-5; column 11, lines 24-34; column 35, lines 20-40; column 39, lines 45-65).

As per claim 23, Lynch discloses a VNG system according to claim 18 wherein at least one of said plurality of clients is chosen from a group of network enabled devices comprising: 1) a personal computer; 2) a personal digital assistant; 3) a mobile cellular telephone; 4) a network appliance; 5) a digitally loadable music or video player; 6) an on-line video game; and 7) a home appliance (the clients use a PC; column 4, lines 4-12; column 33, lines 13-29).

Art Unit: 2157

As per claim 24, Lynch discloses a VNG system according to claim 18 wherein at least one of said plurality of communication channels is chosen from a group comprising: 1) Internet; 2) a cable network; 3) metropolitan area networks (MAN); 4) a power-line network; 5) a telephone line; 6) a satellite link; and 7) wireless networks (the communication is done through the internet and phone lines; Figure 11).

As per claim 25, Lynch discloses a VNG system according to claim 18 wherein said client attributes include, for each client:

1) an identification attribute, identifying said client (user ID; column 9, lines 56-67; column 10, lines 1-5; column 14, lines 30-42; column 22, lines 64-67); and

2) a PNC address attribute, identifying a network location of said client (an IP address for the client; Figure 12).

As per claim 26, Lynch discloses a VNG system according to claim 18, further including:

D. a front end VNG system Web site (network friend accessed by web site; column 14, lines 14-41).

As per claim 27, Lynch discloses a VNG system according to claim 18 wherein said network attributes include: 1) a security management attribute, identifying a network security level to which said PNC must adhere (Figure 12; Figure 13; column 7, lines 39-60; column 10, lines 19-54; column 14, lines 48-59).

Art Unit: 2157

As per claim 28, Lynch discloses a VNG system according to claim 18 wherein said PNC manager includes configured to:

- a) PNC attribute modifier (changing the metanetwork profile; column 24, lines 1-19; column 26, lines 37-59; column 27, lines 55-64); and
- b) PNC client link modifier, configured to modify said client links as a function of a set of modified PNC attributes (changing client links accordingly; column 24, lines 20-33; column 26, lines 37-59).

As per claim 30, Lynch discloses a VNG system according to claim 18, wherein message traffic within said PNC is encrypted (column 14, lines 41-59; column 39, lines 8-22).

As per claim 31, Lynch discloses a VNG system according to claim 18, wherein said VNG processing device further includes

- 5) a usage monitor configured to monitor usage of said PNC by said plurality of clients and generate corresponding usage information (monitoring usage; column 14, lines 14-29; column 35, lines 64-67; column 37, lines 16-35; column 39, lines 9-22); and
- 6) a billing manager, configured to generate a corresponding invoice, as a function of said usage information (monitoring usage; column 14, lines 14-29; column 35, lines 64-67; column 37, lines 16-35; column 39, lines 9-22).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-15 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch US Patent No. 6,487,600 in view of Adams et al. US Patent No. 6,427,071.

Adams discloses the invention as claimed including a method and apparatus to facilitate secure communication between systems which operate using two different protocols (see abstract).

As per claim 11, Lynch discloses the method of claim 1, further comprising:

E. sending a packet across said PNC, from a first client to a second client, wherein said sending said packet includes:

- 1) grabbing a packet destined for the virtual network card (column 8, lines 1-14; column 14, lines 14-29);
- 2) identifying said packet (column 8, lines 1-14; column 14, lines 14-29);
- 6) injecting said packet into a networking driver interface system of said second client, as if said packet was received by a standard network card of said second client (column 16, lines 15-30).

Lynch does not disclose:

- 3) wrapping said packet in a wrapper frame by said first client;

Art Unit: 2157

4) transmitting said packet from said first client and receiving said packet by said second client;

5) unwrapping said packet by said second client.

Adams discloses transmitting a packet and wrapping and unwrapping the packet. See column 2, lines 50-67; column 3, lines 46-67; column 4, lines 1-21; and column 11, lines 49-67.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the wrapping of packets of Adams with the transmitting of packets of Lynch. A person of ordinary skill in the art would have been motivated to do this to facilitate secure communications and allow messages of different protocols to be transferred between clients (see abstract)

As per claim 12, Lynch and Adams disclose the method of claim 11 wherein sub-step 4) includes:

a) sending said packet to a VNG server of said VNG system (Lynch; column 8, lines 1-14) and

b) forwarding said packet by said VNG server to a set of destinations clients, including said second client, associated with said packet (Lynch; column 8, lines 1-14; column 14, lines 14-44).

As per claim 13, Lynch and Adams disclose the method of claim 12, wherein said first

Art Unit: 2157

client implements a first protocol and said second client implements a second protocol, and wherein sub-step 3 includes wrapping said packet in a frame compatible with said first protocol and sub-step b) includes:

- i. unwrapping said packet; and
- ii. re-wrapping said packet in a frame that is compatible with said second protocol.
- iii. transmitting said re-wrapped packet to said second client.

See Adams column 2, lines 59-67; column 4, lines 59-67; column 11, lines 49-67. See also claim 11.

As per claim 14, Lynch and Adams discloses the method of claim 11, wherein sub-step 3) includes compressing said message according to said network attributes and sub-step 5) includes decompressing of said message (Lynch; column 14, lines 48-51; column 15, lines 8-26; column 29, lines 13-34; column 31, lines 49-59)

As per claim 15, Lynch and Adams disclose the method of claim 11, wherein sub-step 3) includes encrypting said message according to said network attributes and sub-step 5) includes decrypting said message (Lynch; column 14, lines 48-51; column 15, lines 8-26; column 29, lines 13-34; column 31, lines 49-59).

As per claim 29, Lynch discloses a VNG system according to claim 18. Lynch does not disclose wherein each client in said PNC includes:

Art Unit: 2157

D. a client module configured to wrap packets to be transmitted in a wrapper frame, wherein said wrapper frame is compatible with at least one of said plurality of communication channels and a corresponding communication protocol. Adams discloses a client module configured to wrap packets to be transmitted in a wrapper frame, wherein said wrapper frame is compatible with at least one of said plurality of communication channels and a corresponding communication protocol. See column 2, lines 50-67; column 3, lines 46-67; column 4, lines 1-21; and column 11, lines 49-67.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the wrapping of packets of Adams with the transmitting of packets of Lynch. A person of ordinary skill in the art would have been motivated to do this to facilitate secure communications and allow messages of different protocols to be transferred between clients.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Carter U.S. Patent No. 6,275,224 discloses a network that has a server and a plurality of client systems.

Cagle et al. U.S. Patent No. 6,543,004 discloses a method for sending packets across a network.

Salas et al. U.S. Patent No. 6,233,600 discloses a system and method for providing a collaborative work environment.

Curtis et al. U.S. Patent Publication No. 2002/0101997 discloses secure communication in a collaborative environment.



Art Unit: 2157

Paulsen et al. U.S. Patent No. 6,055,575 discloses a system for remote users to enter a private network.

Nichols et al. U.S. Patent Publication No. 2003/0055652 discloses a private network exchange.

Hayes Jr. U.S. Patent No. 6,105,066 discloses a system with network interconnecting and a plurality of users.

Filter Jr. et al. U.S. Patent No. 6,366,913 discloses a method for using a directory service to define groups of directory members.

Hart et al. U.S. Patent No. 6,041,166 discloses network traffic management.

Samuel et al. U.S. Patent No. 6,023,729 discloses grouping network users and computers.

Grimm et al. U.S. Patent No. 5,828,843 discloses a network match making system.

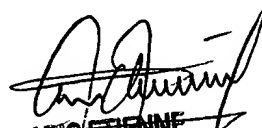
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (703) 305-8420. The examiner can normally be reached on Wednesday - Thursday 11:30am-8pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308 - 7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ua

  
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SUPERVISORY PATENT EXAMINER  
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